



ATTORNEY DOCKET NO. 43889-929
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Toyokazu FUJII, et al.

Serial No.: 09/536,618
(DIV of SN: 09/018,181)

Filed: March 28, 2000

For: A SEMICONDUCTOR DEVICE HAVING IMPROVED PLANARIZATION
PROPERTIES AND A METHOD FOR FORMING THE SAME (AS AMENDED))

Group Art Unit: 2814

Examiner: H. PHAM

#14/D
marsha
1/2/03

TECHNOLOGY CENTER

DEC 13 2002

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AMENDMENT UNDER 37 C.F.R. § 1.111

Hon. Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office Action dated September 12, 2002, having a shortened statutory period for response set to expire December 12, 2002, please amend the above-identified application as follows:

IN THE CLAIMS:

Please cancel claim 34, without prejudice.

Please amend claim 4 and add new claims 37 and 38 as follows:

4. (Twice Amended) A semiconductor device as set forth in Claim 1, wherein

D1 said semiconductor device is a stacked DRAM cell comprising an interlayer insulating film formed on said semiconductor region, a storage node filling an opening formed in



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For: A SEMICONDUCTOR DEVICE HAVING IMPROVED ... FORMING THE SAME

AMENDMENT TRANSMITTALHonorable Commissioner of Patents
and Trademarks,
Washington, D.C. 20231

Sir:

1. X Transmitted herewith is an amendment for the above-identified application.

STATUS

2. X Applicant is is small entity - verified statement:
 attached already filed.
X other than a small entity.

EXTENSION OF TIME

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. §1.136 apply.

- (a) Applicant petitions for an extension of time for the total number of months checked below:

EXTENSION (months)	FEE FOR SMALL ENTITY	FEE FOR OTHER THAN SMALL ENTITY
<u> </u> one month	\$ 55.00	\$ 110.00
<u> </u> two months	200.00	400.00
<u> </u> three months	460.00	920.00
<u> </u> four months	720.00	1,440.00

Fee \$

If an additional extension of time is required, please consider this a petition therefor.

- An extension for months has already been secured and the fee paid therefor of is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this Request \$

- (b) X Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition for extension of time.

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4. X The fee for claims has been calculated as shown below:

	Claims Remaining After Amendment	Highest Number Previously Paid For	Present Extra	Rate	Additional Fee
Total	:	:	:	:	:
Claims	10	20	0	x \$ 18.00 =	0.00
Independent	:	:	:	:	:
Claims	1	3	0	x \$ 84.00 =	0.00
Multiple Dependent Claims (first presentation)	:	:	:	\$280.00 =	0.00
Total	:	:	:	:	0.00
Reduction by 1/2 for small entity	:	:	:	:	0
TOTAL FEE	:	:	:	:	0.00

- (a) X No additional fee for claims is required.

-OR-

- (b) The total additional fee for claims required \$.

FEE PAYMENT

5. Attached is a check in the amount of \$.
- Charge Deposit Account No. 50-0417 the amount of \$. A duplicate copy of this Transmittal is enclosed for accounting purposes.

FEE DEFICIENCY

- X If any additional extension and/or fee is required, this is the request therefor and to charge Deposit Account No. 50-0417.

AND/OR

- X If any additional fee for claims is required, charge Deposit Account No. 50-0417. A duplicate copy of this Transmittal is enclosed for accounting purposes.

Respectfully submitted,

MCDERMOTT, WILL & EMERY

Date: 12/12/02

By:

Michael E. Fogarty
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